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FORM TO BE USED BY A PRISONER FILING A  
42 U.S.C. § 1983 CIVIL RIGHTS COMPLAINT  
IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MAY 25 2010

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## I. CAPTION

(Enter the full name of the plaintiff or  
plaintiffs)

Prosser Wagner, Jamal Bennett, Brandon Jones, Dennis Maddrey,  
Julio Alvarado, Maurice Cook, Norman Styles, Daniel Gibson,  
Nancy T. McFarland, Donald Proctor, James Bray, (over) → →

(Enter the full name of the defendant or  
defendants)

Joseph Taylor, Edmund Justice, Joseph Byrne,  
(over) → 5

## II. PARTIES

## a. Plaintiff

Full name:

Prosser Wagner

Prison identification number:

Place of present confinement:

M.C.C.F.

Address:

100 Eagleville Rd. Eagleville Pa. 19403  
Place of confinement at time of incidents or conditions alleged in  
complaint, including address:

(M.C.C.F.) Montco. Corr. Facility

Additional plaintiffs: Provide the same information for any additional  
plaintiffs on the reverse of this page or on a separate sheet of paper.

b. Defendants: (list only those defendants named in the caption of the  
complaint, section I)

1. Full name including title:

Julio Alvarado - Warden

Place of employment and section or unit:

MCCF

2. Full name including title:

James Bray - Ward. Asst

Place of employment and section or unit:

MCCF

3. Full name including title:

Dennis McInerney - Asst. Ward.

Place of employment and section or unit:

MCCF

4. Full name including title:

Nancy T. McFarland - Pres. Prison Bd

Place of employment and section or unit:

MCCF - New Line

Additional defendants: Provide the same information for any additional  
defendants on the reverse of this page or on a separate sheet of paper.

Jamal Bennett #211825, MCF, 60 Enghave RD.  
Enghave Pa. 19463

Brandon Jones #196442, MCF, 60 Enghave RD.  
Enghave Pa. 19463

Dennis Mandry #045565, MCF, 60 Enghave RD.  
Enghave Pa. 19463

Maurice Giff #100681, MCF, 60 Enghave RD.  
Enghave Pa. 19463

Norman Styles #194493, MCF, 60 Enghave RD.  
Enghave Pa. 19463

Daniel Gibson #103481, MCF, 60 Enghave RD.  
Enghave Pa. 19463

Throne Owens #100720, MCF, 60 Enghave RD.  
Enghave Pa. 19463

Harvey Johnson # ? MCF, 60 Enghave RD.  
Enghave Pa. 19463

John Dierdunand #101642 MCF, 60 Enghave RD.  
Enghave Pa. 19463

Charles Thompson #100544, MCF, 60 Enghave RD.  
Enghave Pa. 19463

Lora Watson #101577, MCF, 60 Enghave RD.  
Enghave Pa. 19463

# (A)



~~Charles Robert #10370~~ MCF, LL Enghenille RD  
Enghenille Pa. 19403

Karl Johnson #095206 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Paul Dwyer #100113 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Terence Imhoff #097076 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Walter Evans #101962 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Art Dwyer #10154 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Samuel Soper #101517 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Timothy Bowers #097626 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Walter Willis #103312 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Maxwell Gilbert #091312 MCF, LL Enghenille RD  
Enghenille Pa. 19403

Armond Vhalo #094811 MCF, LL Enghenille RD  
Enghenille Pa. 19403

John R. Baker #102854 M.C.F. U. Enghaveille RD  
Enghaveille Pa. 19463

Jeffrey Fisher #101908 M.C.F. U. Enghaveille RD  
Enghaveille Pa. 19463

Cortez Butler #102083 M.C.F. U. Enghaveille RD  
Enghaveille Pa. 19463

Harrell Michael #101698 M.C.F. U. Enghaveille RD  
Enghaveille Pa. 19463

Lester Thompson #102911 M.C.F. U. Enghaveille RD  
Enghaveille Pa. 19463

Sheldon Stone #10429 M.C.F. U. Enghaveille RD  
Enghaveille Pa. 19463

David Givens #102111 M.C.F. U. Enghaveille RD  
Enghaveille Pa. 19463

Johny Bonnell #102546 M.C.F. U. Enghaveille RD  
Enghaveille Pa. 19463

### #2 (defendants)

Donald Green — Prison Inspector, M.C.F.  
Edwin P. Council — Prison Inspector, M.C.F.  
Joseph Bailey — Prison Inspector, M.C.F.  
Edward Justice — Prison Inspector, M.C.F.  
Joseph Byrnes — Prison Inspector, M.C.F.  
Walter Samich - Alcy - (unlabeled) M.C.F.  
Lt. E. Nelson — Lt. M.C.F.

CPL. C. MEYER - CPL. MELF

CPL. PALMER - CPL. MELF

MONTGOMERY CO. FIRE DEPT. - MONTGOMERY, Pa.

Correctional Medical Care Inc. (C.M.C.) - MELF



### III. PREVIOUS LAWSUITS

**Instructions:**

If you have filed other lawsuits in any federal or state court dealing with the same facts as this complaint or other facts related to your imprisonment, you must provide the information requested below. If you have not filed other lawsuits, proceed to Section IV, Administrative Remedies, on this page.

If you have filed other lawsuits, provide the following information.

Parties to your previous lawsuit:

Plaintiffs \_\_\_\_\_

Defendants \_\_\_\_\_

Issues: \_\_\_\_\_

Court: if federal, which district? \_\_\_\_\_

if state, which county? \_\_\_\_\_

Docket number: \_\_\_\_\_

Date filed: \_\_\_\_\_

Name of presiding judge: \_\_\_\_\_

Disposition: (check correct answer(s)); Date: \_\_\_\_\_

Dismissed \_\_\_\_\_ Reason? \_\_\_\_\_

Judgment \_\_\_\_\_ In whose favor? \_\_\_\_\_

Pending \_\_\_\_\_ Current status? \_\_\_\_\_

Other \_\_\_\_\_ Explain \_\_\_\_\_

Appeal filed? \_\_\_\_\_ Current status? \_\_\_\_\_

Additional lawsuits. Provide the same information concerning any other lawsuits you have filed concerning the same facts as this action or other facts related to your imprisonment. You may use the back of this page or a separate sheet of paper for this purpose.

### IV. ADMINISTRATIVE REMEDIES

**Instructions:**

Provide the information requested below if there is an administrative procedure to resolve the issues you raise in this complaint. Examples of administrative procedures include review of grievances, disciplinary action, and custody issues. If no administrative procedures apply to the issues in this complaint, proceed to Section V, Statement of Claim, on page 4.

a. Describe the administrative procedures available to resolve the issues raised in this complaint:

Type of procedure. (grievance, disciplinary review, etc.)

Grievance

Authority for procedure. (DC-ADM, inmate handbook, etc.)

Handbook

Formal or informal procedure.

Formal

Who conducts the initial review?

?

What additional review and appeals are available?

?

b. Describe the administrative procedures you followed to resolve the issues raised in this complaint before filing this complaint:

On what date did you request initial review?

What action did you ask prison authorities to take?

What response did you receive to your request?

What further review did you seek and on what dates did you file the requests?

What responses did you receive to your requests for further review?

c. If you did not follow each step of the administrative procedures available to resolve the issues raised in this complaint explain why.

Staff kicked and took the grievance box off the wall. I then filed another one and it was never answered. After 2 more months I sent my complaint "directly" to the warden" certified mail. the certified receipt came back bearing a signature — still no response was given.



**V. STATEMENT OF CLAIM****Instructions:**

State here as briefly as possible the facts of your case. Use plain language and do not make legal arguments or cite cases or statutes. State how each defendant violated your constitutional rights. Although you may refer to any person, make claims only against the defendants listed in the Caption, Section I. Make only claims which are factually related. Each claim should be numbered and set forth in a separate paragraph with an explanation of how the defendants were involved. Use the reverse of this page or a separate sheet of paper if you need more space.

**Statement of claim:**

Plaintiffs avers that said defendants violated their 1, 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup>, 14<sup>th</sup> Amended Rights by deliberately trying us to be subjected to hazardous situations in sleeping in dorms with locks on the doors, M.P.R. rooms (locks on the door), Messian with locks on the doors, 3 and 4 man cells with less than the 100 sq. ft. allowed Per Prison, and being denied our right to the library — defendants are forcing Plaintiffs to choose between law library and the bathroom, thus limiting our rights to continue our legal research, as well as outdated books, torn papers, no quiet time for work in the library.

**VI. RELIEF**

Instruction: Briefly state exactly what you want the Court to do for you.

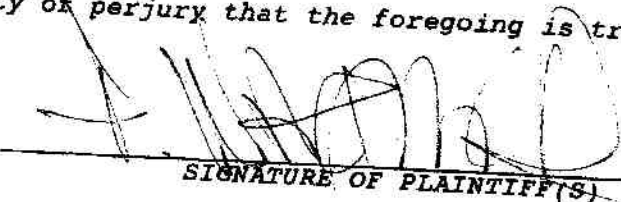
**Relief sought:**

SEE Attached

**VII. DECLARATION AND SIGNATURE**

I (we) declare under penalty of perjury that the foregoing is true and correct.

4/5/2010  
DATE

  
SIGNATURE OF PLAINTIFF(S)